

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

AL BEAMER, et al.)	CASE NO. C-1-02-013
)	
Plaintiffs,)	JUDGE SPIEGEL
)	
-vs-)	
)	
NETCO, INC., et al.)	<u>UNOPPOSED MOTION FOR</u>
)	<u>EXTENSION OF SEVEN (7) DAYS TO</u>
)	<u>RESPOND TO DEFENDANTS' MOTION</u>
Defendants.)	<u>FOR SUMMARY JUDGMENT</u>
)	

Now comes plaintiff, Al Beamer, by and through counsel and hereby requests an additional seven (7) days with in which to respond to Defendants' Motion for Summary Judgment. Previously, plaintiff had agreed to respond to Defendants' Motion for Summary Judgment within fourteen (14) days of its filing. The Motion for Summary Judgment was filed on January 5, 2004. Accordingly, plaintiff's response would be due January 19, 2004. Subsequent to the Court's last ruling granting an extension of the discovery deadline, lead counsel for the plaintiff was retained to represent the interests of a criminal defendant in the case captioned *State of Ohio v. Azzam Ahmed* which commenced trial on January 5, 2004. At the time of the filing of this Motion, undersigned counsel is still engaged in trial and expects to be

engaged for at least three more weeks. Due to the undersigned's trial schedule other members of the firm were engaged to respond to this Motion for Summary Judgment. Unfortunately, the first associate who commenced preparing a response to this Motion for Summary Judgment terminated her employment unexpectedly on January 12, 2004.

These issues were explained to Gregory Shoemaker, current counsel for defendants who is in the process of withdrawing, having accepted a new position in-house for a corporation. (See Defendants' Motion for Continuance of Final Pretrial and Trial Dates) At the time that Mr. Shoemaker requested plaintiff's counsel's consent to their Motion for Continuance of the Pretrial date and the Trial date, he likewise granted his consent to an extension of time to respond to Defendants' Motion for Summary Judgment. Fortunately, plaintiff does not require a substantial amount of time to respond to this Motion for Summary Judgment and it is anticipated that a response can be filed within seven (7) days from January 19, 2004. According, it is respectfully requested that this Court grant an extension of seven (7) days until **January 26, 2004**.

Respectfully submitted,

/s/ Richard C. Haber
RICHARD C. HABER (0046788)
JONATHAN T. HYMAN (0068812)
Reminger & Reminger Co., L.P.A.
1400 Midland Building
101 Prospect Avenue, West
Cleveland, Ohio 44115
Ph: (216) 687-1311
Fax: (216) 687-1841
rhaber@reminger.com
jhyman@reminger.com
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on January 19, 2004, a copy of the foregoing was filed electronically.
Notice of this filing will be sent to all parties by operation of the Court's electronic filing system.
Parties may access this filing through the Court's system.

s/Richard C. Haber
RICHARD C. HABER (0046788)
JONATHAN HYMAN (0068812)
Reminger & Reminger Co., L.P.A.
1400 Midland Building
101 Prospect Avenue, West
Cleveland, Ohio 44115
Ph: (216) 687-1311
Fax: (216) 687-1841
rhaber@reminger.com
jhyman@reminger.com
Attorneys for Plaintiffs